Previous references.

File No. 11-03

1905.

Serial Nos. 1611

(Medical)

Later references.

111-06

154-08

Med 198-10 a,1-2

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1611

Part B. for June 1906

SUBJECT.

Appointment of Lt-Col. J. Smyth as Senior Surgeon & Sanitary Commr & Ex-Officio Inspector General of Prisons.

G. R. S. 58.

GPB—4,000—1-7-11

File 11 of 03-04

OFFICE OF THE DEWAN OF MYSORE,
[REVENUE AND GENERAL DEPARTMENTS).

(Full Office Note.)

Subject.

Appointment of Lt Col: P. H. Benson as Offg: Principal Medical Officer, Madras Distt

Endorsement No 1491 dated the 23rd March 1904, from the F. A. to the Resident in Mysore.

Note.

In his telegram of the 21st March 04 to the First Assistant to the Resident in Mysore, the Offg Principal Medical Officer, Madras, has intimated that Lt Col: P. H. Benson, I. M. S., has been nominated to officiate as Principal Medical Officer, Madras Distt, in the arrangement made consequent on Surgeon General Sinclair proceeding on leave with effect from the 28th Instt.

In forwarding a copy of the above telegram the First Apstt to the Resident wants to know when Col: Benson may be expected to join his Offg: apptt in Madras.

Submitted

24/3/04

On the former occasions when Colonel Benson went to Burmah, Colonel Smyth acted for him as Senior Surgeon. Please see

24/3/04

D

1. Statement of case in narrative form in regular sequence of subject matter or date.
2. Opinions to be stated only as supported by precedents, or general rules which should be quoted.
3. Serial numbers in file, &c., to be always stated.
4. Dates of important documents referred should be given.
5. Write on both sides, leaving the same side as margin.

† 1. No. and date of latest paper.
2. Catch words to show subject.
3. Subject to be in red and body of note in black ink.

Dle 11 of 03-04

OFFICE OF THE DEWAN OF MYSORE,
(REVENUE AND GENERAL DEPARTMENTS).

(Full Office Note.)

Subject.

Appointment of Lt Col: P. H. Benson as Offg: Principal Medical Officer, Madras Distt

Endorsement No 1491 dated the 23rd March 1904, from the F. A. to the Resident in Mysore.

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Note.

In his telegram of the 21st March/04 to the First Assistant to the Resident in Mysore, the Offg Principal Medical Officer, Madras, has intimated that Lt Col: P. H. Benson, I. M. S., has been nominated to officiate as Principal Medical Officer, Madras Distt, in the arrangement made consequent on Surgeon General Sinclair proceeding on leave with effect from the 28th Instt.

In forwarding a copy of the above telegram, the First Asstt to the Resident wants to know when Col: Benson may be expected to join this Offg: appointment in Madras.

Submitted

24/3/04

On the former occasions when Colonel Benson went to Burmah, Colonel Smyth acted for him as Senior Surgeon. Please see

24/3/04

1. Statement of case in narrative form in regular sequence of subject matter, paper.
2. Opinions to be stated only as supported by precedents or general rules which should be quoted.
3. Serial numbers in file, &c., to be always stated.
4. Dates of important documents referred should be given.
5. Write on both sides, leaving the same side as margin.

"Flag A" in this section

No 79 in file below. Colonel Smyth is now absent on other duty. It will now to be stated to the Residency when Col Beveridge can be spared.

From the Fort St George Gazette of the 23rd Feby 1904 it is found that Surgeon Genl Sinclair is granted privilege leave for 3 months from 28th March 1904 and furlough thereafter up to 11th Oct 1904.

Subd to the Dewan through the Chief Secy 24/3/04.

Please submit this to the Dewan at once. The same arrangement as on the last occasion, am I presume to be made now. Mr J. S. Mayhew was Col Smyth's Personal Assistant for some time & until he was deputed for Palace duty on the Civil List. I think he can again be spared Similarly employed. Col Beveridge is not likely to be relieved by Col Smyth in time to enable him to join Madras on the 28th Instant. C

24/3/04

Bungalow
25.3.1904

Dear Col Branson,

Refering to the Residency letter about you being sent as P.M.O, Madura, the Dewan wishes to know by what time you expect to complete the preparation of the Medical Code and the revision of the Jail Manual upon which you are now engaged under the orders of Government

A very early reply will oblige

Yrs Sincerely

(Sd) L. Anantasamiah

Copy "

Rec'd 25/3/44 GL

25th

Dear Mr Narayanan Rao

Yours to hand. It is hardly possible for me to say definitely when the Medical Code or Jail Manual will be finished but I think I might safely say that they will be completed within two months. I do not think that all can be ready by then but I hope that the others can be completed shortly after

Yours sincerely

S. Narayanan Rao Esq. B.A. B.L. [illegible]

0788

Col Symons has to furnish
the Jail Medical Manuals
if he can furnish them in
about 2 or 3 months – in
any case not exceed the
latter – we may ask the
Resident whether he
keep him for three months
make enquiry in this
behalf of Col Symons
& submit draft to the
Residency accordingly

24.3.04

E
2

Colonel Symons D.O. reply is put up.
Draft to Residency dated
to the Diwan
through the 1st Councillor
25/3/04

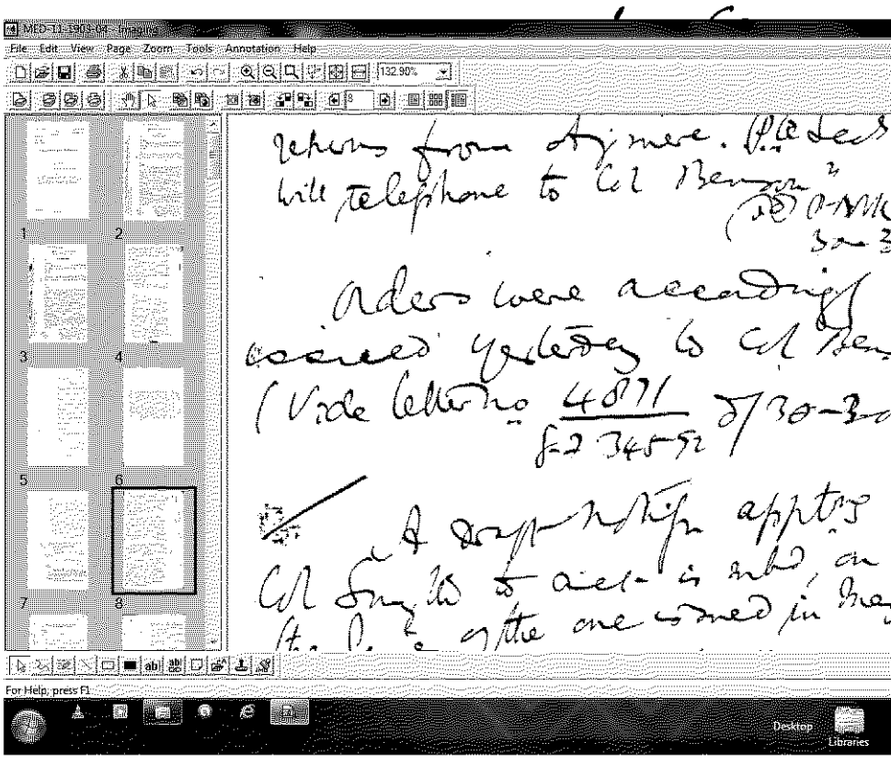
RD 25.3.04
5.30 P.M.

Seen and respectfully.
26/3/04

16780
26/8/04

B

Submitted to His Highness.



In his letter no. 1659 dy 30th March 1924, the F.A. President requests that Col Benson may be asked to report himself without delay for orders to the Lt Genl Commdg. Madras.

F

Drawing order on the above:- "Comm^d. thus assumed by Col Benson. Let him hand over charge to the next senior, who is Mr Hobgood Rao, Dresser, till Col Smyth returns from Ajmere. P.A. to see will telephone to Col Benson" (sd) O-M-K 30-3-24

Orders were accordingly issued yesterday to Col Benson (Vide letter no 4871 dy 30-3-24 & 2345/52) 4

A despatch from appts Col Smyth to act- is sent, on the lines of the one issued in May 1923. The despatch has been appd by the I.G.C., who adds that "the question of attaching a Personal Asst to the C/Os Lewa Sangam may be observed for another order."

DATE 9.4.04
NO 1597

Record of Case submitted for the orders of His Highness the Maharaja.

Subject.

:

Appointment of Col. J. Smyth, M.D., as officiating Senior Surgeon during the absence of Col. Benson as officiating Principal Medical Officer, Madras.

Order.

1701
1.5.'04

Sanctioned

~~KRW~~

19/4/04

Let the orders issued be intimated to the 7th Circle. The next senior officer is appointed to act as Principal Medical Officer, Madras, during the absence on leave of Col. Benson. The usual leave arrangements will be made

I.V.O.P.

Recd 3/5/04 from Velandur. "Medical" for suitable action
3/5/04

C.290

Council matter for disposal by Circulation.

Subject.

Appointment of Col J. Smyth I.M.S. to officiate as Senior Surgeon & Sanit. Commr, and Inspector General of Prisons, in addition to his own duties, during the deputation of Col Benson as offg P. M. O. Madras District.

Circulated to Councillors.

By Order,
M.S. Chandrasekhara Ayyar
Deputy Secretary.

3rd April 1904

Name	Remarks by the Councillor.
C. Sreenivasa Ayyangar Esqr ~~V. P. Madhava Rao, Esq., C.I.E.,~~ First Councillor.	This may be sanctioned. In the reference to the Hon'ble the Resident the Salary (pay + allowance) proposed to be given to Col Smyth will I think have to be mentioned. C. Sreenivasa Ayyangar 4/4/04.
Sent on 3-4-04	
Received on 3-4-04,	
C.287 4/4/04 B. N. Venkataramaniengar Esqr ~~C. Sreenivasa Ayyangar, Esq.,~~ Second Councillor.	
Sent on	
Received on	Seen 4.4.1904

MGCPB—500—8-6-03.

16998/5.4.04

Subd to the Dewan

An addition has been made to the draft to the Residency showing the acting allce to be drawn by Colonel Smyth. 5/4/04

Facing Sheet for Cases included in the schedule appended to Notification No. 36 of the 8th August 1902.

Subject— Appointment of Col: J. Smyth I.M.S. [illegible] as offr Senior Surgeon and Sanitary Comm[illegible]

	Date.	Initial of Officer himself or responsible Deputy.
Received in the Secretariat	30·3·04	
Submitted to Secretary	31·3·04	
Submitted by Secretary to Dewan ~~or Councillor in charge~~.	31·3·04	
Returned to Secretary	1·4·04	
Circulated by Secretary for Council ...	3·4·04	
Forwarded by 1st Councillor	4·4·04	
Forwarded by 2d Councillor	4·4·04	
Received in Secretariat	4·4·04	
Considered in Council	Disposal by circulation	
Submitted to the Dewan	5·4·04.	
Submitted to His Highness	11·4·04 IV	[illegible].
Orders passed by His Highness	13·4·04	[illegible]
Final Orders issued		
Circulated to Councillors		
Passed on by the Councillor		
Returned to Secretary by Councillor ...		

The draft is submitted for the Dewan's approval.

The matter on the previous occasion (May 1903) went before the Council. This file [illegible] have to be gone now also. and a reference also made to the [illegible] about [illegible] appointments.

31.3.04

16891/31.3.04.

68082

Yes. And the matter may be [illegible] a draft [illegible]

1.4.04

Recd 7.30pm on 2-4-04

A draft of the Vice-Resident is prepared & the file circulated.

3.4.04

Orders of the Dewan

Let the draft be issued and then file submitted for further action through the 1st Councillor. The Resident has intimated that Col. Beeson's appointment is permanent and that permanent arrangements might be made. (Sd) P. N. K.

1-5-04

Vice

The draft to the F.A. to the Resident requesting him to obtain the early approval of the Govt of India to the proposed appt of Lt Col J. Smyth as offg Senior Surgeon in addn to his own duties during the absence of Col. Benson on duty elsewhere was issued on the 3d May 1904. No G 55 13 dt 3/5/04 S H

Resubmitted with refee to the above orders of the Dewan—

Orders are also solicited as to whether the issue of the passed draft notfn (paper with flag H) appty: Lt Col J. Smyth as offg Senior Surgeon may be withheld, pending receipt of a reply from the Residency to this office letter of the 3d May 1904, referred to above.

A.W. 5/5/04

W.B. 5/5/04

(I think the Notfn shd be withheld W.)

Subd to the Chancellor W 5/5/04

C.302 5.5.1904

The Notification of Col Smyth's promotion can be awaited the sanction which has been asked for until the Hon'ble the Resident has officially authorised the arrangement. As regards future permanent arrangements I shall have a talk with Col Smyth after his return from leave & submit my views— W 5/5/04

17592 9.5.04

Subd to the Director Ll 6/5/04

1855]

Read a letter with Col Smyth. He is opposed to the proposed arrangements. Col Smyth would be Senior Surgeon on Col Usemar's recommendations - and to have a more direct and personal supervision & control over the Victoria Hospital

2. Mr Hampton who succeeded Dr Watt was Senior Surgeon - and at present

3. Mr Armitage & Mr Woods are in charge of the Victoria Hospital

4. I do not know if a Resident Surgeon is employed in addition if required Col Smyth's recommendations can be invited

5. A letter will be sent to Mr Tull enclosing the suggestions of Col Smyth & Dr Cleland

6. I will speak to Col Smyth & ascertain his views in the matter.

Shall read the draft early Ll 13/5/04

11.V.04

Subd to the 1st Councillor for perusal
of the Dewan's remarks.
A draft D.O. which I intend sending
to Col: Smyth is subd for info & appl.
A draft to the Residency will
be written upon hearing from Col: Smyth.
16/5/04

Rec'd 17.5.04

In my humble opinion, this D.O.C.
enquiry is unnecessary unless the
object of it is merely to ascertain
whether Col Smyth will stay on
on the terms he seems to have
verbally agreed to. - I beg to suggest
that Para 3 be omitted unless the
Dewan thinks that it is necessary -H.
17/5/04

Subd to the Dewan
18/5/04

17788
18.V.04.

Returned with draft
as one. This was
the D.O. written
by Col. Parke on
which I passed
much criticism but
already used
19.V.04

Draft early
19/5/04

Subd to the 2nd Councillor with
draft to the Residency.
20/5/04

Seen; thanks
20/5/1904

6

A draft to the Residency is put up as directed. It has been seen by the 2d Cr.

I.P

A Pt was sent to Colonel Smyth as directed and his reply is put up Subd to the Dewan.

21/5/04.

17852
21.V.04

Rec'd 21/5/04

Barnes

20 May 04

Dear Mr Quartermaster Rees

Yours of 20. may ult.

– Please convey the Govt of
H.M. the Khedive my thanks
for appointment of Lieut
Lieut. H in succession to
Benson. I am sorry
with the arrangement also
to appoint Mr T.S. Hampshire
as my personal assistant

As I believe has a
Sound Conscientious Man.

The last part of your
D.V. is not quite clear.
What I could desire
would be that my relations
with the Vienna Hospital
should remain friendly
as at present. When
I found the work too much
for me at the Ens. Hosp.
Ever yours
Semmelweis.

Issue this at once

20/5/04

Issued
At Ret 20/5

My dear Sir,

I am desired to inform you that a Communication will be addressed to the F. A. to the Resident, requesting him to obtain for the Durbar the sanction of the Govt of India to your being appointed as Senior Surgeon & Commdt with the Govt of Mysore & Inspector General of Prisons. Mr J. S. Nanjappa ~~will~~ Civil Surgeon, will be given to you as your Personal Assistant and you will of course exercise ~~have a~~ direct & personal supervision and Control over the Victoria Hospital. Yours truly

Lt-Col. J. Smyth M.D. I.M.S.
Offg Senior Surgeon

20/5/04

Bangalore.

My dear Sir,

With reference to the conversation you had with the Dewan the other day on the arrangements to be made consequent on the reversion of Colonel P.H.Benson,M.B.,I.M.S., permanently to the British Service, I am desired to state that the Dewan believes that you are agreeable to the following arrangements :—

(1) to appoint you as Senior Surgeon on Colonel Benson's present pay and emoluments, Viz.,Rs.1050+800 local allowance +110 house rent,

(2) to appoint Mr.T.S.Nanjappa as your Personal Assistant, ~~to give you~~

(3) to give you more direct and personal supervision and control over the Victoria Hospital than Colonel Benson had, and

(4) to appoint Mr.T.V.Armugam Mudaliar to be in charge of the Victoria Hospital.

I am to enquire whether you

Have received the above letter and if you are agreeable to the arrangements mentioned in the letter, I will be sent up for signature & 2 & 3 will from the other terms this need not be for which I shall again. Already there has been a misunderstanding.

19.V.09

19/5

have anything more to suggest on this subject.

The Dewan doubts whether a Resident Surgeon is necessary for the Victoria Hospital in addition to Mr. Armugam Mudaliar, and if so, I am to request to be favoured with your views on that point also.

Yours sincerely,

Lt.Col. J. Smyth,M.D.,I.M.S.,

Offg. Senior Surgeon

Record of Case submitted for the orders of His Highness the Maharaja.

Subject.

Draft to Residency regarding Lt-Colonel Smyth's appointment as Senior Surgeon and Sanitary Commissioner, in place of Col. P.H.Benson.

12/6/04

1852

Order.

Approved

~~K.R.H.~~

31/5/04

2.VI.04

Rec'd 14th

14/6/04

Submitted to His Highness.

The draught letter with Resident
regarding the Suspension of
Col Smyth as Senior Surgeon
with the Force of Col Stevenson
may be approved —

22.V.04

G.R.S 12]
General and Revenue Secretariat.

File No. 11 of 1903-4

Serial No.	
	To the First Assistant to the Honble the Resident in Mysore, Pol No 484 dated the 7th December, 1904. Applies for the loan of the services of an Officer of the I. M. S. for employment in Mysore to assist the Senior Surgeon and Sanitary Commr.
7	From the First Assistant to the Honble the Resident in Mysore, No 4873 dated the 30th August, 1905. Communicates the sanction of the Govt of India to Lt Col J. Smyth's appt as Offg Senior Surgeon in addn to his own duties as Surgeon in charge of the Victoria Hospl upto the 8th November, 1904, fixes the allowce and pay the Officer appointed as Senior Surgeon should receive from the Durbar, and suggests the appt being offered to Lt Col Smyth on the modified terms, and calls for addl particulars as regards the loan of the services of an Officer of the Indian Medical Service applied for.
	Submitted for orders with draft forwarding a copy
	1/9/05

MGCPB—50,000—17-2-0.

G.R.S. 12]

General and Revenue Secretariat.

File No. 11 of 1903-4

Serial No.

of the 1st Assistant Residents letter to Col Swynton for report as to whether he would accept the appointment on the terms offered by the Govt of India & What duties he would propose to assign to another officer whom it is proposed to take from the British Medical Service.

FB
7/9/05.

Draft submitted to the Dewan Saheb thro' the Dr Councillor
1.9.1905

Dr May has spoken.
PW
1.9.1905

7/9/05.

Rcd 60
4.50 p.m. 1.9.05

84 89
5.9.05

Why was this not sent alone - This & all similar communications wanted alone - Who sent it alone - Ans

Note. Put
Dr see that order
6.9.1905

(Not offl.) 5.IX.05

Issue the draft proposed
6.9.1905

MGCPB—20,000—1-11....

Submitted to His Highness.

for perusal. Col Smyth has been asked to state his decision regarding the offer of being made Military Secretary to Sardar and when his reply is received the matter will be submitted in due form for the orders of His Highness.

5.IX.05

Record of Case submitted for the orders of His Highness the Maharaja.

175
5.9.05

Subject.

Copies of Residency letters re 1).Medical arrangements in Mysore and 2) retention by the Durbar of the services of Col.T.J.McGann for a further period of eight months.

7.9.05
149

Order.

~~KRW~~
6/9/05

7.IX.05

8.9.05. IV
8-9-05

G.R.S. 12]

General and Revenue Secretariat.

File No. 11 of 1903-04

Serial No.

8 To The Senior Surgeon
No 2572 dt the 9th Sept 1905
Forwards copy of the Residency letter specifying the pay and conditions on which Lt Smyth may be appointed as Senior Surgeon and enquires whether he is willing to accept the post on those conditions

9 From - Do - No G 242 dt the 27th Sept 1905. States that he will be a loser by accepting the appointment on the modified terms now offered by the Govt of India and requests that a copy of his letter dt 5/5/05 addressed to the Dewan may be forwarded to the Govt of India for consideration. Asks for orders with References.

Regarding the appointment of Senior Medical Officer in the State, the Residency has called for information about the nature of the duties proposed to be assigned to him: but the Senior Surgeon was not called to submit this information and so he has not said anything about it in the present letter

Sm
30/9/05

BB
30/9/05

Submitted to the Dewan Saheb thro the 2nd Councillor
&
30/9/1905

Read
1-10-05.

Sir Longmore requests the favour of a copy of the letter from the Residency

NOTE—Contn. sheet.

MGCPB—20,000—1-11-04.

G.R.S. 12

General and Revenue Secretariat.

File No. 11 of 190 3/1574

Serial No.

Mary be completed
month.
8
2/10/1905

9029
3.10.05

NOTE—Contn. sheet.

MGCPB—20,000—1-11-04.

Camp Kankanhalli,

9th November 1905.

My dear Sir,

I am directed by the Dewan to draw your kind attention to the following portion of para 4 of your letter No.G. 242, dated the 27th September 1905:-

"I trusted to the word &c." up to "or with a pair of knaves who made me an offer they knew they had no right to make in order to induce me to accept service under the Government of Mysore".

The Dewan regrets his inability to forward a copy of this letter of yours to the Resident unless the portion referred to above be expunged. I am to request you to send me another letter without the passage under advertence at your earliest convenience.

Yours sincerely,

S. Dharmarasayyalu

Col. J. Smyth, M.D., I.M.S

GOVERNMENT OF MYSORE

Bangalore
11.11.15

Dear Sastriarangachar

I send you the
letter-re-written - I
had not opportunities
from Sandur but I had been
for it & must retain
here just then I have had
rushed up upon my
return - I thank you

now
I have clearly proved that
the late Dewan was simply
justified in ordering him
out and if the Government's stand
were actually
sanctioned by Govt. of India - but
in the shape of a few lines!
Wholesome! So then can
how be no question of the Dewan
having acted ultra vires & thereby
all that part of my original letter
justifying my action in having ordered
the Dewan and not becoming sub
ordinate - I am

Yours
Sincerely

G.R.S. 12]

General and Revenue Secretariat.

File No. 11 of 1903

Serial No.

9 From the Senior Surgeon, No Q 262 dated the 27th Sept. 1905. Accepts the terms offered to him for the Senior Surgeoncy and points out at the same time the loss that he will be put to thereby.

The previous papers connected with this Case are now before the Dewan.

Sent to D.P.E. 2-10-05

A.H.S.M. 1/11/05

Sd 2/11/05

Submitted to the Dewan Sahib as per telegram received

Sd 2/11/1905

ERD 4 11.05 / 12.30 pm

Endrs received 11.05 9 am

MGCPB—20,000—1-11-04.

Submitted to His Highness.

I herewith submit for His Highness' approval a draft letter to the Residency regarding the medical arrangements in Mysore. The draft gives the particulars called for by the Government of India, and may be approved.

Draft for approval

9.X.1.05.

To

The First Assistant to the
Resident in Mysore.

Superseded by amended draft

No.

dated,

Sir,

Paper under disposal (1)

I am directed to acknowledge the receipt of your letter No.4873, dated the 30th August 1905, about medical arrangements in Mysore, and to state in reply as follows:--

2. As desired in para 4 of your letter, the appointment of Senior Surgeon and Sanitary Commissioner was offered to Lt.Col.Smyth on the terms referred to in para 3 of the letter under reply. In accordance with his desire a copy of each of his two letters on the subject is herewith forwarded.

Paper under disposal (2) + its enclosure.

3. There can be little doubt that both the Durbar and Lt.Col.Smyth believed that the latter would not be precluded from drawing the same pay

Camp Hankanhalli
9.XI.06

My dear Mr Moss King,

With reference to your letter No 4873, dated the 30th May 1905 and subsequent reminders regarding medical arrangements in Mysore, I am to state that the matter is now before His Highness the Maharaja and a reply may be expected in four or five days. The delay is chiefly due to the Senior Surgeon not having sent his report in some time past.

Yours sincerely

Paper under disposal ②

Secretariat

RECORD OF CASE SUBMITTED FOR THE ORDERS
OF HIS HIGHNESS THE MAHARAJA.

SUBJECT

Date 9.11.05
h. 308

Draft letter to the Residency regarding the medical arrangements in Mysore.

Understood
with thanks
by mail
30.IX.05

5.12.05
354

ORDER

The proposal to obtain an Officer to relieve Colonel McGann is suitable. But I should wish him to reside in the same place as myself. Instead, therefore, of attaching him to the Victoria Hospital, I would follow the precedents of Col: Smyth and Captain Carr White and give him charge of the maternity hospitals at Mysore and Bangalore, when he is in residence at those places. We may ask for a well qualified Surgeon, preferably young and active, [redacted]. We may, perhaps, explain, in view of previous correspondence, that the Senior Surgeon is now relieved of work in connection with the Victoria Hospital and is provided with a qualified Assistant for sanitary work. As regards the Victoria hospital, Col Smyth is assured of the ability of Dr Armugam to manage it successfully and a reference may be made to that point.

As regards Col Smyth's own case, I do not thinkthat the draft represents the facts in sufficient detail or is sufficiently explicit as to the Dawbar's attitude . This is the last opportunity that we shall have of re resenting the case

to the Govt of India and it is my wish that the representation should be as full and explicit as possible. I have therefore had a fresh draft prepared in which all the facts and aspects of the case are stated in detail.

Col Smyth when discussing the question of the future of the Victoria Hospital with me, expressed his confidence in Dr Arnugams ability to manage it successfully provided that he had sufficient assistance in respect of Surgeons and Nurses. He stated however that the present staff of nurses was insufficient and much overworked and that they were threatening to resign in consequence. This matter seems to require attention.

KRW

29/11/65

G.R.S. 12]

General and Revenue Secretariat.

File No. 11 of 1908-04

Serial No. 11

From the First Assistant to the Hon'ble the Resident in Mysore, No 3467 dated the 15th June, 1906.

Forwards a copy of notification issued by the Govt of India in the Foreign Department, Confirming Lt-Col J. Smyth, M.D., I.M.S., in his appt as Senior Surgeon &c and states that the Govt of India regret their inability to modify the orders conveyed in his letter No 4873 dated the 30th August, 1905 as regards his emoluments, and that a separate Comm'n will be made on the subject of the appointment of a second Officer of the Indian Medical Service in Mysore.

MGCPB—20,000—1-11-04.

G.R.S. 12]

General and Revenue Secretariat.

File No. 11 of 1903-04

Serial No.

Drafts submitted,

18/6/06 thro' 2 Dlgrs

19/6/06

Recd 19.6.06. May be approved

20/6/06

1010/21/6/06

21/6/06

22/6/1906.

25.6.06

To the compiler supra Gazette no 13310 D 30/6/06 Republishes the Govt of India notn 1139 D 1/6/06

Endorsements to the compilation of the Senior Surgeon 13311 & 12 D 30/6/06. Forwards copies of the above and intimates that Lt col Smyth's salary will be the grade pay admissible to Agency Surgeons of the 1st class under the new scale together with a local allowance of Rs 500/- a month & exchange compensation allowance

NOTE—Contn. sheet.

MGCPB—20,000—1-11-04.

G.R.S. 12J
General and Revenue Secretariat.

File No. 11 of 1903-04

Serial No.

To the S Surgeon no 13313 d 30/6/05. Forward S copy of Sl no

To the compiler Imperial Gazette no 13315 d 30/6/05. notifies the appointment of Lt col J Smyth as offg Senior Surgeon & Ex officio Inspector General of Prisons in addition to his own duties as Surgeon in charge of the Victoria Hospital

Endorsements to the compiler and the Senior Surgeon no 13316-17 d 30/6/05 Forward copies of the above and intimates that Lt col J. Smyth will draw an acting allowance of Rs 370 a month in addition to the Salary of his permanent appointment

To the compiler Imperial Gazette no 13314 d 30/6/05. Notifies the Confirmation of Lt col J Smyth as Senior Surgeon &c.

NOTE.—Contn. sheet

GPB—50,000—23-10-05

No 5573 93/5/04 To The J. A. Resident

Sir,

Adverting to the correspondence ending with your letter no. 1659 of the 30th March 1904, regarding the nomination of Col Benson I.M.S. for the offg. appointment of Principal Medical Officer, Kadapa district, I am directed to state that ~~instructions~~ Col Benson has been instructed to report himself without delay for orders to the Lieut. General Commanding, Madras.

2. During Col Benson's absence it is proposed, as on the previous occasion when he went on deputation to Burma to appoint Col J. Smyth M.D., I.M.S. to officiate as Senior Surgeon & Staff Surgeon, and Asst Surgeon

of Prisons, in addition to
his own duties. I am to
request that the Govt
India may be moved to
accord their sanction approval
to the arrangement.

I am re-

3-4-04

Approved, Mr. Secretary
Morley
8.4.04

D

To.

The First Assistant to the Hon'ble
the Resident in Mysore.

July 5-513

Dated Bangalore 3rd May April '04

Sir,

Adverting to the correspondence ending with your letter No. 1659, dated the 30th March 1904, regarding the nomination of Col. Benson, I.M.S., for the Offg: appointment of Principal Medical Officer, Madras District, I am directed to state that Col. Benson has been instructed to report himself without delay for orders to the Lt-General commanding Madras.

2. During Col. Benson's absence it is proposed, as on the previous occasion when he went on deputation to Burma, to appoint Col. J. Smyth, M.D., I.M.S., to officiate as Senior Surgeon and Sanitary Commissioner, and Inspector General of Prisons, in addition to his own duties, and to grant him an officiating allowance of ₹370/- a month, being 20% of ₹1,850/- the pay drawn by Col. Benson. I am to request that the Government of India may kindly be moved to accord their early approval to the

arrangement.

I have &c.,

3/5/04.

For Offg; Secretary.

1904.

2

To

The First Assistant to the
Honourable the Resident in
Mysore.

Fair draft

No. G 6310 of 16/6/04-

Sir,

In continuation of this Office letter No.G.5513 dated the 3rd instant, I am directed to state that consequent on the reversion of Colonel P.H.Benson M.B.,I.M.S., permanently to the British Service, the Durbar propose to appoint Lt.Col. J. Smyth,M.D.,I.M.S., who is now Surgeon in charge of the Victoria Hospital as Senior Surgeon and Sanitary Commissioner with the Government of Mysore and Ex-officio Inspector General of Prisons, and to give Him the pay and emoluments viz., Rs.1050 (British pay) + 800 local allowance + 110 house rent, which Colonel Benson was receiving from the Durbar. I am accordingly to request the favour of your kindly obtaining the sanction of the

22.V.04

1960

the Government of India, to the appoint-

ment proposed.

I have &c.

14/6/04

Offg. Secretary.

R. P. B.—4-04.—1,000.

D1949 (24-05)-1

3

No. 4873

FROM

R. C. H. MOSS. KING, ESQ., I, C. S.,
FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

Pol no. 330 D 31-8-05

To

The Dewan of Mysore.

Dated Bangalore, 30th August 1905.

Submit at once with the file re 3/8/[illegible]

Immle 31-8-05

11-30 P.M. III D.S. S.G 31/8

SIR,

I am directed to invite a reference to the correspondence ending with Mr.Venkatavaradiengar's letter Pol No.484, dated the 7th December 1904, regarding Medical arrangements in Mysore. 74 C

2. The proposals recommended by Sir James Bourdillon to the Government of India were as follows:-

(a) that Lieutenant Colonel J.Smyth,I.M.S.,should be appointed to officiate as Senior Surgeon and Sanitary Commissioner of Mysore in addition to his own duties as Surgeon in charge of the Victoria Hospital with effect from the date on which he assumed charge of the Senior Surgeoncy up to the 8th November 1904, and that he should draw an acting allowance of Rs.370 a month for this period,in addition to the salary of his permanent appointment.

(b) that Lieutenant Colonel Smyth should be confirmed as Senior Surgeon and Sanitary Commissioner of Mysore with effect from the 8th November 1904,and that from that date up to the date of his promotion to the rank of selected Lieutenant Colonel under the new scheme,his pay and allowances should aggregate Rs.1,960/- a month,while after his promotion he should receive his grade pay plus a local allowance of Rs.500/- a month and a house rent allowance of Rs.110/- a month,

Exchange

Exchange Compensation allowance being granted throughout:-

(c) that an officer of the Indian Medical Service should be lent to the Durbar for a term of two years in the first instance, his services being employed for a time at the Victoria Hospital and thereafter as Durbar Physician.

3. The Government of India sanction the first proposal. With regard to the second, I am to say that the Government of India are not prepared to permit the Officer appointed as Senior Surgeon and Sanitary Commissioner to receive a local allowance of more than Rs.500/- a month in addition to the grade pay admissible to Agency Surgeons of the 1st class under the new scale nor can they allow him to receive the house rent allowance proposed. Exchange compensation allowance however may be continued to be drawn as heretofore.

4. In these circumstances I am to suggest that the appointment should be offered to Lieutenant Colonel Smyth on these terms as now modified, and in this connection, I am to point out that if he elects to accept it, his emoluments will compare favourably with those drawn by medical officers holding administrative charges under the Foreign Department of the Government of India.

5. The Government of India consider it reasonable that the Durbar should stipulate as a condition of the appointment that the Senior Surgeon and Sanitary Commissioner should devote his whole time to administrative work, that he should have no direct or collateral charge of any medical institution in the State, and that he should have no private practice except of a consultant nature.

6 I am to request that Lieutenant Colonel Smyth's decision in the matter may be communicated to this office at an early date.

7. With regard to the third proposal, I am to say that the Government of India are unable to select the officer required from the Indian Medical Service or to fix the salary which he should receive from the Durbar without fuller information regarding the nature of the duties which he will be called upon to perform. I am

therefore

Exchange Compensation allowance being granted throughout:-

(c) that an officer of the Indian Medical Service should be lent to the Durbar for a term of two years in the first instance, his services being employed for a time at the Victoria Hospital and thereafter as Durbar Physician.

3. The Government of India sanction the first proposal. With regard to the second, I am to say that the Government of India are not prepared to permit the Officer appointed as Senior Surgeon and Sanitary Commissioner to receive a local allowance of more than Rs.500/- a month in addition to the grade pay admissible to Agency Surgeons of the 1st class under the new scale nor can they allow him to receive the house rent allowance proposed. Exchange compensation allowance however may be continued to be drawn as heretofore.

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6 I am to request that Lieutenant Colonel Smyth's decision in the matter may be communicated to this office at an early date.

7. With regard to the third proposal, I am to say that the Government of India are unable to select the officer required from the Indian Medical Service or to fix the salary which he should receive from the Durbar without fuller information regarding the nature of the duties which he will be called upon to perform. I am

therefore

therefore to request that the necessary particulars may be supplied at a very early date and the Government of India will then endeavour to comply with the Durbar's request.

I have the honour to be,

Sir,

Your most obedient servant,

First Assistant Resident.

G.R.S. 26]

File No.

Serial No 4

Diary No. of letter replied to _____

No. 2572

Enc 1

General and Rev. Secretariat
(Med)
, *the* 190 .

To Med 7. (110/03-04)
The Senior Surgeon

Date of issue 9.9.05

Signed by _____

Has the honour to forward herewith copy of letter No 4873 dated the 30th August, 1905, from the First Assistant to the Hon'ble the Resident in Mysore, and to request the Senior Surgeon to ~~request~~ advise as to whether he would accept ~~the appointment of Senior Surgeon to Coorg on the terms offered by the Govt of India and to what duties he would be expected to devote himself~~ ^ be good enough to

^ the modified terms now offered by the Govt of India. for

over for purposes

SUBJECT.

propose to assign to another Officer, whom it is proposed to take from the British Medical Service ~~for duty in connection with Sanitary measures in the State~~. By order

1.9.1905

1/9/05

Secy

1/9/05

1/9/05

5. IX. 05

Gpm
6
6.9.1905

List of enclosures,

Copied by [illegible]

Examined by [illegible]

8/9.

MGCPB—20,000-19-12—04.

(5)

No.G.242. Dated Bangalore, 27th September 1905.

From

Lt.Col.John Smyth M.D.,I.M.S.
Offg.Senior Surgeon and Sanitary Commissioner
with the Government of H.H. the Maharaja of
Mysore, Bangalore.

To

B.K. Venkata Varada Iyengar, Esquire,
Secretary to the Government of H.H. the
Maharaja of Mysore, General and Revenue
Departments, Bangalore.

Sir,

With regard to your No.2572/11-03 of 9th September 05 giving cover to letter No.4870 of 30th August 1905 from the -- First Assistant to the Hon'ble the Resident in Mysore to the Dewan of Mysore conveying the Government of India's offer of the Senior Surgeoncy Mysore, to me, on certain terms, I have the honor to say that although they are not the terms under --- which I accepted service in Mysore, I accept them pointing out the loss it will mean to me as compared with service on the -- terms offered me originally by the Durbar; it will mean a loss to me of Rs.520 before I attain my 25th year of service, and of Rs.110 a month thereafter, till I become a selected Lieutenant Colonel, an event which must be long postponed under any circumstances owing to the block in promotion caused by recent Army Orders. But while thus accepting the terms offered I feel

confident

confident that my action will not preclude the Government of India from reconsidering their order, if representations are made to them later which would establish my claim to the same pay and allowances as were drawn by my predecessors. With this object I request that the copy of my letter to the Dewan Saheb dated 5th May 1905, sent herewith, with one or two marginal notes thereon may be forwarded with this letter or a copy of it to the Government of India. My claim for the same pay and allowances as my predecessors drew may be once more here summarised as follows:-

1st In January 1897 I was asked by the Mysore Durbar to accept an appointment in Mysore.

2nd. On enquiring what my prospects would be if I accepted it I was told I would finally be Senior Surgeon to the Government of Mysore, whose pay was Rs.1700, shortly to be increased by Rs.150, which actually took place a few months later, with Rs.110 house rent and exchange compensation allowance.

3rd That in offering me these inducements to leave my appointment and cut myself adrift from my prospects in Madras, it was not suggested by the Durbar that when I finally become Senior Surgeon the above pay and allowances would be curtailed. The Durbar presumably believed such would not be the case, and its spokesman was the late Sir Seshadri Iyer with Col.- Benson his adviser at every step of the proceedings.

4th That it never occurred to me for a moment to consider

consider such a curtailment possible, or I would never have accepted service in Mysore; I would not have left my excellent prospects in Madras for such doubtful ones as would thus have been held out to me.

5th That from a recent circular issued by the Gogernment of India, Foreign Department, I gather that what the Government of India object to is the house rent. Now I find from my office records that in the sanctioned budget for 1885-86 of the Government of Mysore, Rs.110 is provided as house rent to Dr.Houston the then Senior Surgeon.

Further in letter No.2191/85 dated 7th November 1885 from Mr.J.H. Newill the Assistant Resident to the Government of Mysore in which the sanction of the ---- Government of India to the appointment of Surgeon---- Major T.J.McGann as Senior Surgeon in succession to Dr.Houston is conveyed, it is stated that Surgeon Major T.J.McGann shall receive a free house ~~free~~; but as the Government of Mysore had no free house of their own to place at the disposal of Surgeon Major T.J.McGann, they gave -- him house rent at the same rate as was drawn by his -- predecessor viz.- Rs.110/- in lieu thereof. The same house rent was continued to Col.P.H.Benson for similar reasons and this house rent has been entered in the Civil List of the Government of Mysore as part of the emoluments of the Senior Suegeon every year for --- about the last 20 years. Sir Seshadri Iyer was therefore certainly justified in the belief that he was --- within his rights in including house rent at Rs110 --- among the emoluments of the Senior Surgeon; and it appears to me that ordinary considerations of equity require that, as, under the above circumstances, house

rent was offered to me and I accepted it as part of my -- contract I have a right to it.

6th I need not add more. I know that His Highness' present Government has never for one moment thought of -- giving me less pay than my predecessors received, but always intended to carry out the contract originally entered into by me with their predecessors to the very letter, and I now leave it to them to see that their-- intentions shall find realization.

Quite true
Dated 10th P.M. K

I have the honor to be,

Sir,

Your most obedient servant,

Sd/- John Smyth,
M.D.

Lt.Col.I.M.S.

Offg: Senior Surgeon and Sany. Commr.

" C O P Y ".

D3710 1

No.G.242 Dated Bushire, 7th September 1903

Med 11903

From

Lieut.-Col. [illegible] M.D., I.M.S.

Officiating Surgeon and Assistant Commissioner

in charge Gulf [illegible] M[illegible]

Muscat, Bushire.

To

B.M. [illegible]

Secretary to the Government of H.M. the

Mohammedan Power, Colonial [illegible]

[illegible], Bombay.

Sir,

With regard to your No.2570/13-08 of 26th August 1903 giving correction to letter No.4070 of 30th August 1903 from the Wireless Assistant to the Honble the Resident in Persian Gulf, Bushire, offering the Senior Surgeon Muscat, to me, on certain terms, I have the honour to state that although these are not the terms under which I accepted service in Muscat, I accept the conditions set forth in the letter referred to originally by the Resident: it will cost me Rs.3720 per annum. I also pay Rs.25 per month for service, and Rs.110 a month. Thereafter till I become a full Lieutenant-Colonel, an event which must be long postponed under any circumstances owing to the block in promotion caused by recent Army Orders. But while these conditions are offered I feel bound to point out that my action will not preclude the Government of India from

27

cf. in connection with letter

reconsider[illegible] order, if representation is made to the latter which would establish a claim to the same pay and allowances as were drawn by my predecessors. With this object I request that a copy of my letter to the Dewan Saheb dated 5th May 1905, [illegible], with one or two original notes thereon may be forwarded with this letter or a copy of it to the Government of India. My claim for the same pay and allowances as my predecessors drew will be once more briefly summarised as follows:-

1st I January 1897 I was asked by the Mysore Durbar to accept an appointment in Mysore.

2nd On enquiring what my prospects would be if I accepted it I was told I would finally be Senior Surgeon to the Government of Mysore, whose pay was Rs. 1700, shortly to be increased by Rs.150, which actually took place a few months later, with Rs.110 house rent and exchange compensation allowances.

3rd That in offering me these inducements to leave my appointment and cut myself adrift from my prospects in Madras, it was not suggested by the Durbar that when I finally became Senior Surgeon the above pay and allowances would be curtailed. The Durbar presumably believed such would not be the case, and its spokesman was the late Sir Seshadri Iyer with Col. Benson his adviser at every step of the proceedings.

4th That it never occurred to me for a moment to consider such a curtailment possible, or I would never have accepted service in Mysore: I would not have left an excellent prospects in Madras for such doubtful prospects as would there have [illegible] out of one.

5th That it now seems the Durbar is acting [illegible] I have referred to, acted ultra vires: that is

offered me inducements they had no right to offer, but which I had no information to enable me to know whether they had the right to offer them or not. I trusted to the word of one of the ablest Ministers who ever controlled the destinies of Mysore, and of Col. Benson, the then Senior Surgeon, and surely I can hardly be blamed or considered to have done a foolish -- thing if I acted on the word of two such men. Will a sane man say I should have gone to some higher author -ity to ascertain if indeed these two men had a right to make the offer they had made to me? Would such enquiry on my part not having implied, either that I was dealing with a pair of fools who did not know what -- they had a right to offer me; or with a pair of -- knaves who made me an offer they knew they had no right to make in order to induce me to accept service under the Government of Mysore?

6th But I had the best reasons for believing that I was -- dealing with a clever as well as an honourable man -- when dealing with the late Dewan of Mysore, and therefore that my contract was as sure of fulfilment as -- any contract could be. I had never met or heard of the late Dewan of Mysore till he offered me service in Mysore, though the then Senior Surgeon, but on speaking of him later to Sir Donald Robertson, who was a rare judge of character, he told me that he looked on the Dewan as not only the finest native but one of -- finest men all round he had ever met; and that was -- enough for me.

7th Judging from a recent circular issued by the Government of India, Foreign Department, I gather that what the Government of India objects to is the house rent, which I now find on looking up the records does not appear to have ever been sanctioned by the Government of India. But as both Col. Benson and his predecessor and in fact, so far as I can find out, Col. McCa

predecessor, had always had either free [illegible] or Rs 110 house rent, and as the item had never hitherto been objected to by the Government of India, Sir Seshadri Iyer was certainly justified in the belief that he was within his rights in offering house rent to me also; and it appears to me that, ordinary consideration of equity require that, as, under the circumstances, it was offered to me and I accepted it as part of my contract I have a right to it. Moreover, I find in the history of this house rent, in my office papers, it is distinctly laid down by the -- Government of Madras, "Dr.McGann is entitled to a -- house rent of Rs.110 a month".

I have not add more. I know that His Highness' present Government has never for one moment thought of giving me less pay than my predecessors received, but always intended to carry out the contract originally entered into by me with their predecessors to the very letter, and I now leave it to them to see that their intentions shall find realization.

I have the honor to be,

Sir,

Your most obedient servant,

M.D.,

L.R.C.P.(Lond.), M.R.C.S.(Eng.),

Offg. Senior Surgeon and Secretary.

Enclosure to 5

[illegible] Senior Officers' War Course

[illegible] 1905

Strictly secret.

You will have to be very careful what you write as I cannot accept it as a further discussion regarding the proposal of the Government of India that I should accept -- [illegible] the allowance of Rs.500 as conveyed in your letter of the 1st instant.

2. If I were to do this it would fill the whole -- [illegible] the service of my staff, the selection of officers, I was definitely promised by the Secretary of State that I should finally succeed him in the ordinary course of events.

3. It would be useless to be asked that in the --- event of such a change [illegible] I should get an equivalent good terms as he would be getting ?

4. I was at the time fully aware of the [illegible] in the Presidency of Madras, the [illegible] district, and my prospects for the service were fully [illegible] but they did not possibly [illegible] that if I chose I could ultimately serve under the Central Government in the Department of the Chief Commissioner of [illegible] and that people have served in many times, and which afforded unrivalled opportunity for a lucrative private practice.

5. While here my prospects were left [illegible], and it will naturally be observed that in accepting the service I [illegible] a career where could be no less successful than [illegible] to be in the sphere of action I was going into.

6. Under [illegible] last [illegible] of the power to it has to further extension of the service [illegible] the Secretary of State I [illegible] stipulate [illegible]

I should get the benefit* of whatever improvement might [illegible] take place in the pay of the Indian Medical Service. The grade pay of the Senior Surgeon was then Rs.1950 and his allowance Rs.300 with Rs.110 house rent and exchange compensation allowance and my stipulation of course meant that should the grade pay be improved by the new rules I should get the benefit of such improvement so that with the grade pay improved by Rs.500, my pay should be Rs. 1950 and Rs.300 and Rs. 110, Rs. exchange compensation allowance and I have been for all practical purposes Senior Surgeon since last November 1904, under [illegible] the Government of India confirmed my appointment as the Honourable [illegible] case. For [illegible] officiating Senior Surgeon [illegible] [illegible] permanent [illegible] officiating appointment [illegible] took more than a few [illegible] and I accordingly [illegible] only [illegible] should [illegible] effect.

*I have since been informed that the Residency Surgeon, Hyderabad, has received the full benefit of the improved grade pay. (Added on 26.9.05) W

7. [illegible] I have said [illegible] been [illegible] Senior Surgeon since November last, [illegible] the [illegible] [illegible] I believe [illegible] [illegible] pay and allowances [illegible]

8. [illegible] from the [illegible] [illegible] of [illegible] Government of India propose to offer you as Senior Surgeon [illegible] grade pay Rs.1500-50-1650 plus five [illegible] allowances. [illegible] this acceptable to you [illegible] to the Government of [illegible] -

propose to deprive me -

1st of all the privilege of the improved pay of the officers of the Indian Medical service Para 8..120 House rent.

2nd of the full compensation allowance say Rs.120

9. Now if this offer had been made to me when I was just merely junior to the Victoria Hospital or ---- even while I was de-facto officiating senior surgeon, it might have met the claim of being on equitable procedure. But to allow me first to officiate and then for seven months to be de-facto senior surgeon under the very reasonable belief that I would at least be at well remunerated for my services as my predecessor was and --- certainly will not admit that if I was to be senior --- surgeon I should be under far less emoluments than my predecessor drew, seems to me a most unusual procedure.

10. I can find nothing the government of India -- issued in order that all future senior surgeons would draw such and such pay; that would be quite in accord --- with precedent, and the future incumbents could have no cause for complaint. What I was in reality if I drew house rent, probably the only officer in the Indian -- Medical service who did draw house rent. Why ?

11. Government has stopped all house rent from those previously for all future incumbents in offices to which house rent was then attached, but those in actual receipt of it at the time the order was passed continue to draw it even after changing of appointments. In fact in my case I could hardly have called it injustice, if house rent had been stopped after I left the General -- Hospital where I had been resident for years . I did not there actually draw house rent but only occupied rent -- quarters. Not the spirit and not the letter of the law was adhered to in my case and I was granted house rent during all the rest of my service in the Presidency [illegible] I was employed.

11. That was a just and reasonable claim, and I claim no more than action on the same principles in the dealings of the Government of India with me now.

12. It is doubted of me now whether I shall accept the Government of India's proposals. To this I can only answer that after I have taken a drift from my old work in Madras, and nothing left to revert to but military duties, it is a matter of no whether I shall accept --- Government of India proposals or not. If I had dreamt for a moment that my pay would be less than that of my predecessors here, would I have ever left my appointment in Madras to join the service of Mysore? Need I answer to a question? I came to Mysore in the belief that --- things were arranged on the same principles I had become acquainted with in Madras: that is principles that any plain man could understand. I thought that I could go on working away in the sure and certain hope of being --- dealt with as I now it appears that I have been misled.

14. I will add but a word more to this already too long a letter.

15. I have the greatest confidence that if you represent the matter in the light in which I have now put it, justice will be done. You know what the work is that is now to be done in the department and whether it is decreasing or whether it is enormously increasing. What with new hospitals and dispensaries, the re-organisation of the sanitary department, the nursing and Midwifery departments, the vaccination and jail Departments the medical stores and Asylums and the ever recurring --- plague, you know well that instead of decreasing the work is steadily increasing and will continue to increase in proportion to the zeal of the departmental head. This alone deserves the earnest and generous consideration of the Government of India. You know the facts as well as I. I now leave the matter therefore with you to the gene-

generous consideration of the Government of India, in the belief that the detailed statement of the whole circumstance I have given will enable that Government to see their way to a different treatment of the matter on hand from that which they propose in your telegram.

Sincerely yours,

Minto

Minto

26.9.05

Final draft

Sus To.

6

The First Assistant to the Hon'ble
the Resident in Mysore.

Pol no 463 dy 8 dec 05
" Encl 11

Enclosure.
One letter from S.P
in original
S.J 11/12/05

Sir,

I am directed to acknowledge the receipt of your letter No.4873, dated the 30th August 1905, about medical arrangements in Mysore and to state in reply as follows.

2. As desired in para 4 of your letter, the appointment of Senior Surgeon and Sanitary Commissioner was offered to Lt-Col. Smyth on the terms referred to in para 3 of the same letter. With no alternative before him, at the present moment, but that of reversion to Military employment, Lt-Col. Smyth feels that he is not in a position to refuse the offer. He has however again asked for a consideration of the circumstances of his service in Mysore and, in view of the possibility that in previous references the

Durbar have not expressed themselves with sufficient fulness, they desire to now represent in some detail the facts of his case and their own attitude in the matter. The facts are, as follows.

3. In the year 1896 the Durbar offered Lt-Col. (then Major) Smyth an appointment in Mysore giving him at the same time to understand that he would eventually succeed to the Office of Senior Surgeon, which then carried a salary of ₹1,700/- shortly to be increased by ₹150/- with house-rent of ₹110. Relying on this understanding Col. Smyth relinquished the important appointment of Surgeon in charge of the Presidency Second District and of the Women and Children's department in the Madras General Hospital and the prospect of higher posts coupled with a lucrative private practice and took up the appointment of Durbar Surgeon. His emoluments were fixed at ₹1,150, consolidated, including the pay of his rank ₹850 + 300,

(1)

the latter being the equivalent of the allowances he was actually drawing in Madras. He was also allowed a free house at Mysore. In 1899 the Government of India also permitted him to accept ₹120 house rent, with respect to residence at Bangalore, throughout the year, or such less amount as might be expended in the rent of a house at that Station.

4. In 1900 during the absence of the permanent incumbent on furlough, Major Smyth officiated as Senior Surgeon and Sanitary Commissioner and, during that period, with the sanction of the Government of India, drew an acting allowance of ₹350 equivalent to the moiety of the difference between his own pay and that of the Senior Surgeon. In November 1900 Major Smyth was, with the approval of the Government of India, appointed to the charge of the Victoria hospital, Bangalore,

continuing to draw pay of ₹1150 ₹110 house rent. In 1901 he again acted as Senior Surgeon and Sanitary Commissioner in addition to his own duties on the same terms as before. In that year Major Smyth attained the rank of Lt-Colonel and, with the sanction of the Government of India, his pay was raised to ₹1,350 with house rent not exceeding ₹120. In 1903 Lt-Col. Benson, the Senior Surgeon was selected to Officiate for 8 months as Inspector General of Hospitals in Burma. Lt-Col. Smyth again officiated for him and was allowed, with the sanction of the Government of India, (Notification of the Government of India, Foreign Department, No.1362 G. dated 28th August 1903) to draw an acting allowance of ₹370, or 20% of the pay of the appointment. Including house rent his emoluments thus amounted to ₹1,840. In May 1904 Lt-Col. Benson reverted permanently to the British Service and the office of Senior Surgeon became vacant. In their letter No.6310 of 16-6-'04

the Durbar asked for the sanction of the Government of India to appoint Col. Smyth Senior Surgeon and Sanitary Com-

(2) missioner on the same terms as his predecessor viz. ₹1,050 British pay + 800 local allowance + ₹110 house rent. But meanwhile the case had become complicated by the introduction of the question of the entertainment of second Medical Officer of the British service in Mysore. Further correspondence ensued with reference to this matter and it was not till the receipt of your letter No.4873 of the 30th August 1905 that the Durbar learned the decision of the Government of India that Lt-Col. Smyth could only be allowed to draw a local allowance of ₹500 a month in addition to the grade pay, admissible to agency Surgeons of the first class. In the meantime Lt-Col. Smyth had been conducting the duties of Senior Surgeon and Sanitary Commissioner in addition

to those of Surgeon in charge of the Victoria hospital, with no additional remuneration whatever. During the same period circumstances had occurred materially affecting Col. Smyth's position and prospects. The term of Col. Smyth's deputation expired in March 1904 and it became necessary for the Durbar to decide, whether they wished to retain his service for a further period and, for Col. Smyth to determine, whether he wished to remain. Col. Smyth on a consideration of his apparent prospects expressed his willingness to continue to serve in Mysore and, in your letter No. 120 of the 10th of January 1904, the sanction of the Government of India to his retention for a further period of five years was communicated. This sanction was stated to be subject to a consideration of Lt-Col. Smyth's emoluments should this become necessary in consequence of any changes in the remuneration of the officers of the I.M.S. which might be introduced.

During the same period certain important surgical appointments under the Government of Madras, to any one of which Col. Smyth on the ground of his past services and his recent experience at the head of a big hospital had a reasonable hope of succeeding, fell vacant and were filled up. And finally, the position of the officers of all ranks in the Indian Medical Service was materially improved by orders issued by the Government of India.

5. From what has been stated it will be apparent that during the 9 years of Col. Smyth's service in the State no question was ever raised by the Government of India with reference to the pay of the Senior Surgeon and Sanitary Commissioner including a free house or houserent, nor was any intimation given of an intention to reduce it. On several occasions Lt-Col. Smyth

officiated in the appointment and drew, with the specific sanction of the Government of India, an acting allowance calculated on the full pay of the appointment as well as house rent. Not only was no suggestion made for a reduction of the Senior Surgeon's emoluments, but the improvement of the prospects of medical officers in the British service raised reasonable expectations that an officer whose services were lent to the Durbar would receive some proportionate increment. Finally for some months, during which the Durbar had no reason whatever to anticipate any reduction in the pay and allowances of the appointment, Lt-Col. Smyth had been permitted to combine the onerous duties of Senior Surgeon with the charge of the Victoria Hospital, even, it is to be feared, to the prejudice of his health.

6. The feeling of the Durbar is that they are being prevented from giving effect to the original understanding on

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both sides, which they had no cause to consider as unreasonable. Further, at no time during the last nine years has there been anything in the action of the Government of India to lead them to anticipate any objection to their giving it effect. In those years Lt-Col. Smyth has rendered most valuable services to the administration, to the sick and suffering of the Province, and to the family of His Highness the Maharaja and it would be the source of the deepest regret to the Durbar if, owing to any failure on their part to represent the case in the strongest manner, he were to continue his service in the State smarting under a sense of unmerited disappointment.

7. I am therefore to express the hope that the Hon'ble the Resident will see his way to support the earnest wish of the Durbar that Lt-Col.Smyth

may be allowed to draw the full emoluments of his predecessor, and that if the item of house rent be considered objectionable, the amount may be added to his salary under whatever head may be considered appropriate. The Durbar desire to draw particular attention to the fact that, at no time during his service in the State, has the house rent drawn by Lt-Col. Smyth been of the nature of an unauthorized easement. On each occasion when his status has altered the specific sanction of the Government of India has been obtained. They would also point out, with reference to the comparison made of the emoluments drawn by the Senior Surgeon in Mysore and by medical officers holding administrative charges under the Foreign Department of the Government of India, that the duties performed by an officer in a Native State are less clearly defined than those of an officer of a similar position under a British Administration. The former is required to, and actually does, render special

services such as Col. Smyth has on many occasions rendered to the family of His Highness the Maharaja, which in British Service would not be required of him, or would form the subject of special remuneration. The Durbar also are disposed to doubt whether the duties imposed on any officer of the class above referred to can be compared to those attached to the senior Administrative Officer in a State of the size of Mysore, equipped as it is with a medical establishment and institutions costing ₹ 6,36,000/- in the year. In the case of future appointments to the post the officer concerned will have full knowledge of the views of the Government of India and will take up service knowing what he has to expect. In the present instance however, the orders reducing the emoluments of the post would actually operate with retrospective effect to

the detriment of a valued Officer. (6)

8. By Lt-Col. Smyth's special request his letter of the 27th September, in which he states his case, is forwarded herewith. The Durbar would invite particular attention to that portion of the letter in which the circumstances are stated under which house rent has been drawn by the Senior Surgeon for the past 20 years, not as an unauthorized easement, but as an integral portion of the recognized emoluments of the post.

Page 2 of Col. Smyth's letter no. 242 of 27.9.05 Para 3.

9. With reference to the enquiry made in para 7 of your letter, I am directed to state that the proposal is to obtain an officer to relieve Col. McCann as Durbar Physician, whose duties are those of a medical officer in attendance on His Highness the Maharaja and his family. As these duties do not give him sufficient employment, it is proposed to allow him to work in the Maternity hospitals at Mysore and Bangalore, following the precedents of Col. Smyth and Capt. Carr White.

services such as Col. Smyth has on many occasions rendered to the family of His Highness the Maharaja, which in British Service would not be required of him, or would form the subject of special remuneration. The Durbar also are disposed to doubt whether the duties imposed on any officer of the class above referred to can be compared to those attached to the senior Administrative Officer in a State of the size of Mysore, equipped as it is with a medical establishment and institutions costing ₹6,36,000/- in the year. In the case of future appointments to the post the officer concerned will have full knowledge of the views of the Government of India and will take up service knowing what he has to expect. In the present instance however, the orders reducing the emoluments of the post would actually operate with retrospective effect to

The Durbar require a well qualified surgeon, preferrably young and active.

10. In view of the previous correspondence, I am to add that the Senior Surgeon is now relieved of work in connection with the Victoria Hospital and provided with a qualified Assistant for sanitary work. As regards the Victoria Hospital the Durbar are assured of the ability of Dr. Armugam to manage it successfully and are, therefore, of opinion that no special arrangement is necessary for the purpose.

I have &c.,

Secretary.

4·XII·05

6.12.1905

Typed

8/12

8/12

D 9770

No. 3467 Secret 7

FROM

R. C. H. MOSS KING, ESQ., I. C. S.,
FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

Polno 2070 Dy 16.7.06

To

The Dewan of Mysore.

Dated Bangalore, 15th June 1906.

SIR,

I am directed to refer to the correspondence ending with Mr. Venkatavaradaiengar's letter Political No. 463 dated the 8th December 1905 on the subject of the appointment and emoluments of Lieutenant Colonel J. Smyth, I.M.S., as Senior Surgeon and Sanitary Commissioner with the Government of Mysore.

2. I am now to state that as Lieutenant Colonel Smyth has accepted the post in question, he has been formally appointed ~~thereto~~ thereto. In forwarding a copy of a Notification × issued by the Government of India in the Foreign Department in the matter, I am to request that the attention of Lieutenant Colonel Smyth may be drawn to the instructions contained in articles 770 and 778 of the Civil Service Regulations regarding the information to be furnished to accounts officers, and that it may be reported to this office that these instructions have been complied with.

× No. 1139 G dated 1st June 1906

3. As regards the question of Lieutenant Colonel Smyth's emoluments, I am to say that the Government of India regret that they are unable to modify the orders conveyed in my letter No. 4873 dated the 30th August 1905.

4. A separate communication will be made to the Durbar on the subject of the appointment of a second officer of the Indian Medical Service in Mysore.

I have the honour to be,

Sir,

Your most obedient servant,

First Assistant Resident.

42

Government of India, Foreign Department Notification No. 1139-G, dated the 1st June 1906.

Lieutenant Colonel J. Smyth, Indian Medical Service (Madras), officiating Senior Surgeon and Sanitary Commissioner with the Government of Mysore, is confirmed in that appointment with effect from the 8th November 1904.

C o p y

R. V. Tirumalai Aiyangar

R e g i s t r a r.

G.R.S. 26]

File No. 11-03

Serial No. 8

*Diary No. of letter replied to*_____

No. 13310

General and Revenue Secretariat

( )

, *the* 190 .

Date of issue 30-6-06

Signed by K.S. Ch

To Notification

The Govt of India, Foreign Deptt Notification No 1139-G, dated the 1st June, 1906, is republished

(Here Copy the Notifn)

By order

Secy

Draft

13311 d 30-6-06. 19/6/06 18/6/06

Copy to the Comptroller to the Govt of Mysore, with the intimation that

Govt of India Notifn makes no mention of the Inspector General's Powers in Mysore.

18/5

To, The Comptroller, Mysore Gazette, for publn

SUBJECT.

that the salary of Lt. Col
J. Smyth, M.D., I.M.S., as Senior Surgeon to Commr.,
will be the grade pay
admissible to Agency
Surgeons of the 1st class
under the new scale
together with a local allow-
ance of Rs 500/- a month
and exchange Compensation
allowance.

Subd.
What this Dr. is not known to the O.

By order

Sdy

Secy

Copies to the Senior
Surgeon & Comptr for
information.

12312 dt 20-6-06.

20/6/06

List of enclosures.

By order

Sdy

Secy

19/6/06

Copied by AB 26/6

Examined by [illegible]

MGCPB—30,000—16-2-05

4 Offs

G.R.S. 23]

File No. 32-03 u

Serial No. 9

*Diary No. of letter replied to*_____

No. 13313

General and Revenue Secretariat

( )

, *the* 190 .

Date of issue 30-6-06

Signed by H. R

To (Here Copy letter No 3467 dated the 15th June, 1906, from the First Assistant to the Hon'ble the Resident in Mysore).

Copy forwarded to the Senior Surgeon and Sanitary Commr with the Govt of Mysore with ref^ce to Correspondence ending with his letter No 9212 dated the 27th September, 1905.

2. The attention of the Senior Surgeon is invited to para 2 of the letter and he is requested

over.

(Hay R)

SUBJECT.

G.R.S. 5]

4 D 65 — File No. 11-03

Serial No. 10

Diary No. of letter replied to———

No. 13315

General and Revenue Secretariat,

( )

, *the* 190 .

Date of issue 20-6-06

Signed by K S Gh.

Flay P

Flay V

To Notification

Lt-Col J. Smyth, M.D., I.M.S., Surgeon in charge of the Victoria Hospital at Bangalore, officiated as Senior Surgeon and Sanitary Commr and Ex-officio Inspector General of Prisons in Mysore, in addition to his own duties, from the afternoon of the 9th April to the 8th November, 1904.

By order

Dey

To the Compiler, M. G. for publn

Drafts

P. T. O.

Dey over.

SUBJECT.

13316 & 30-6-06.

Copy to Comptroller.

with intimation that Lt Col. J. J. Smyth, M.D., D.M.S., has been promoted to rank, during the period alluded to

& draw an acting allowance of Rs. 370/- a month during the aforesaid, in addition to the salary of his permanent appt, with effect from the date on which he assumed charge of the offices of the Senior Surgeon & Comms and Inspector General of Prisons in succession to Lt Col R. H. Beveridge, M.B., D.M.S., on the afternoon of the 9th April 1906.

Flag V

Flag G

By order

Sect

19/6/06

List of enclosures.

20/6/06

Copied by

Examined by

27/6

13317 & 30-6-06.

Copy to Senior Surgeon & Comms

By order

Sect

MGCPB—30,000—16-2-05

B

4 of 5?

G.R.S. 26]

File No. 11-08

Serial No. 11

Diary No. of letter replied to _____

No. 13314

General and Revenue Secretariat

( )

, *the* 190 .

Date of issue 30-6-06

Signed by [illegible] K. S. Gh

To

Notification.

Lt Col J. Smyth, M.D., I.M.S., Offg Senior Surgeon and Sanitary Commr with the Govt of Mysore and Ex-Officio Inspector General of Prisons in Mysore, is confirmed in those appointments with effect from the 8th November 1904.

By order

Sey

DR 1/11

19/6/06 19/6/06

To the Compiler, M.G. for publication.

[redacted] 26-6-

20/6/06

2/7/06

over.

SUBJECT.